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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 19

Application Number: 09/009,083
Filing Date: January 20, 1998
Appellant(s): ANDERSON ET AL.

For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed August 30th, 2001.

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

Claims 1 and 14 been amended subsequent to the final rejection.

Claims 7 and 14 been canceled.

The appellant's statement of the status of amendments after final rejection contained in the brief is incorrect.

The amendment after final rejection filed on August 30th, 2001 has not been entered.

The summary of invention contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 1 and 14 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,930,764	Melchoine et al	7-1999

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated et al by Melchionne et al (U.S. Patent No. 5,930,764).

3. As per claims 1, 4-6,14, Melchionne et al teach a system comprising a central processing unit (CPU) (central micromarketing system) an input user interface module (workstation) with means (keyboard) for inputting lead management data (marketing information), means for inputting lead selection (marketing information selection) parameters for operation upon by the CPU (see abstract, fig 1, 2, 5a-5h, column 8 line 59-9 line 12) a plurality functional modules

(functional workstations) (see fig 1, 2, column 15 lines 1-10) wherein a functional module comprises a system security capability (security system) (see column 16 line 65-17 line 17, column 27 line 49-61), a functional module comprises a lead management capability (marketing information selection) (see section on lead management system (column 37 lines 65-column 40 line 58) and a functional module comprises a lead selection capability (marketing selection) (see column 30 lines 36-39 and section on selection list or paths (column 30 line 67-column 33 line 29)). Melchionne et al further teach a CPU responding to input user (user such as bankers or agent, customer representative, or account representative) requests by generating information on candidate leads (customer marketing information) and signification of a request and means (monitor, fax, printer) connected to the CPU for outputting the information (see abstract, column 33 line 39-59, 34 lines 3-7, 35, lines 13-45, and claim 5).

4. As per claim 2, Melchionne et al teach a system comprising a central processing unit (CPU) (central micromarketing system) comprises a microprocessor (see (see abstract, fig 1, 2, 5a-5h, column 8 line 59-9 line 12).

5. As per claim 3, Melchionne et al teach a system comprising a central processing unit (CPU) (central micromarketing system) wherein the user interface comprise a remote access terminal (branch workstation) (see column 6 line 25-39).

6. As per claim 7, 10, 12, 19, Melchionne et al teach a system wherein an input customer profile is entered... (see column 6 lines 26-39,).

7. As per claim 8, 20, Melchionne et al teach a system wherein the lead selection capability for supporting...desires (see column 7 lines 6-30).

8. As per claim 9, Melchionne et al teach a system wherein the means for inputting lead selection ...marketed (see column 9 lines 6-29).

9. As per claim 11, 15-17, Melchionne et al teach a system wherein the lead management capability ... time (see column 16 lines 30-55).

10. As per claim 13, Melchionne et al teach a system further comprising means ..... furture (see column 14 lines 36-64).

11. As per claim 18, Melchionne et al teach a system further comprising means for enforcing..initiated (see column 5 lines 31-67).

(11) Response to Argument

Applicant argues that the fundamental distinction between his inventive concept and the prior art (Melchione et al. 5,930,764), is that sales agents can request leads that best fit their wants. Applicant further makes clear that the system allow sales agent to input individual preferences for the traits to be included in the sales leads that require for

the type of product they intend to sell. Applicants conveys in contrast that Melchione et al teach a system whereby a branch manager decide what type of leads a sale a gent should have. Examiner respectfully diverges from the Applicant's perspective of Melchione inventive concept. In Melchione's invention a lead management system is disclosed. In that system, sale agents receive lead base on input characteristic and searches of a database of a marketing center. The system allow user to search for whatever fit theirs characteristics and also give them the ability to modify queries and generate sale leads (see column 26 line 50-65, 28, line 5-14). Since the system allow the user to perform their own search according to their input criteria, their leads are based on preference.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Firmin Backer
October 8, 2001

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